

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI**

IN RE: David Anthony Walker, Debtor

**Case No. 23-51276-KMS
CHAPTER 13**

NOTICE

Debtor has filed papers with the court to Modify their Chapter 13 Bankruptcy Plan.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to amend the Plan, or if you want the court to consider your views on the Motion, then on or before 30 days, you or your attorney must:

File with the court a written request for a hearing at:

U.S. Bankruptcy Clerk
U.S. Bankruptcy Court
Dan M. Russell, Jr. United States Courthouse
2012 15th St., Ste. 244
Gulfport, MS 39501

If you mail your request to the court for filing, you must mail it early enough so the court will receive it on or before the date state above.

You must also mail a copy to the debtors' attorney:

The Rollins Law Firm, PLLC
P.O. Box 13767
Jackson, MS 39236
(601) 500-5533

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief, which shall sustain this Motion to Modify Plan.

Date: May 28, 2025

Signature: /s/ Thomas C. Rollins, Jr.

Thomas C. Rollins, Jr. (MSBN 103469)
Jennifer Ann Curry Calvillo (MSBN 104367)
The Rollins Law Firm, PLLC
P.O. Box 13767
Jackson, MS 39236

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MOTION TO MODIFY BANKRUPTCY PLAN

COMES NOW, Debtor, by and through counsel, and moves this Court to modify their Chapter 13 plan, and in support thereof, would show the Court as follows:

1. Debtor commenced this case on 09/14/2023 by filing a voluntary petition for relief under Chapter 13 of Title 11 of the United States Bankruptcy Code.
2. Debtor's 2015 Dodge Ram ("Vehicle") was deemed a total loss in an accident.
3. Debtor should surrender the Vehicle to the Creditor, OneMain Financial Group, LLC ("Creditor").
4. Debtor wishes for Trustee to cease ongoing payments to OneMain Financial Group, LLC's secured claim. Creditor should be allowed to file a deficiency claim upon the sale of the vehicle.
5. GAINSCO Auto Insurance ("Insurance Company") should turn over all insurance proceeds covering the Vehicle to Trustee.
6. Creditor should transfer title of the Vehicle to Insurance Company.
7. If any funds remain after the Vehicle is paid off, they should be turned over to Debtor to purchase a replacement vehicle.
8. Trustee should cease ongoing payments to Creditor for the Vehicle.
9. Debtor wishes for the Trustee to adjust the plan payment to the amount necessary to cease ongoing distributions to Creditor and to continue to pay the priority and secured claims as ordered in the confirmed Plan.
10. Debtor wishes for the Trustee to cure any deficiency including ongoing mortgage payments paid through the plan, if one exists, and adjust the wage order as needed.

WHEREFORE, Debtor prays that their Bankruptcy Plan be modified to reflect the above-mentioned changes and for such additional or alternative relief as may be just and proper.

Respectfully submitted

/s/ Thomas C. Rollins, Jr.
Thomas C. Rollins, Jr. (MS Bar No. 103469)

Of Counsel:

Thomas C. Rollins, Jr.
Jennifer Ann Curry Calvillo
The Rollins Law Firm, PLLC
P.O Box 13767
Jackson, MS 39236

CERTIFICATE OF SERVICE

I, Thomas C. Rollins, Jr., do hereby certify that a true and correct copy of the above and foregoing Notice and Motion to Modify Plan was forwarded on May 28, 2025, to:

By USPS First Class Mail, Postage Prepaid:

OneMain
PO Box 3251
Evansville, IN 47731-3251

Gainsco, Inc.
PO Box 869153
Plano, TX 75086

By Electronic CM/ECF Notice:

Chapter 13 Case Trustee

U.S. Trustee

/s/ Thomas C. Rollins, Jr.
Thomas C. Rollins, Jr.